

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED
FEB 21 2006
[Signature]
CLERK

UNITED STATES OF AMERICA,

CR. 05-30084

Plaintiff,

-VS-

CATHY STONE,

Defendant.

REPORT AND RECOMMENDATION
FOR DISPOSITION OF DEFENDANT'S
MOTION TO SUPPRESS

Defendant, Cathy Stone, has filed a Motion to Suppress, Docket No. 36. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the February 21, 2006 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 21st day of February, 2006, at Pierre, South Dakota.

BY THE COURT:

[Signature: Mark A. Moreno]

MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY: *[Signature: Joseph Haas]*

Deputy

(SEAL)

NOTICE

Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).